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BILL NO. S-77-09- 07

SPECIAL ORDINANCE NO. S- 199-77

AN ORDINANCE authorizing the Board of Aviation Commissioners to extend the lease with Airport Restaurants, Inc., an additional fifteen years.

WHEREAS, the City of Fort Wayne, by and through its Board of Aviation Commissioners, entered into a Lease Agreement on August 8, 1961, with Airport Restaurants, Inc., with reference to a parcel of land which is a part of Fort Wayne Municipal Airport (Baer Field), which Lease, as amended, expires February 28, 2014; and

WHEREAS, said Board of Aviation Commissioners is desirous of reducing the land area leased by approximately 1.9 acres so that said Board may have such property for other uses including, but not limited to roadway and parking at the airport; and

WHEREAS, the Airport Restaurants, Inc. is desirous of making certain additions to the room capacity of its motel and other improvements in said premises but requires an additional term of years to accommodate prospective mortgagees for long term financing; and

WHEREAS, it is in the best interest of the City of Fort Wayne that the Board of Aviation Commissioners be authorized to enter into an agreement by the terms of which the present term, of its Lease Agreement with Airport Restaurants, Inc., be extended for an additional fifteen (15) years in consideration of Airport Restaurants, Inc. agreement to reduce land area leased and to add room capacity to its motel; and

WHEREAS, the character, experience and financial responsibility of Airport Restaurants, Inc. has been determined satisfactorily by the Board of Aviation Commissioners and the erection of the additional motel units shall both facilitate and be consistent with the operation, use and purpose of the airport on land belonging to the airport.

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

3744

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2 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF

3 FORT WAYNE, INDIANA:

4 SECTION 1. That the Board of Aviation Commissioners be

5 and hereby is authorized to enter into an agreement to extend

6 the term of its present Lease Agreement with Airport Restaurants,

7 Inc., as amended, an additional fifteen (15) years to February

8 28, 2029, on the condition that Airport Restaurants, Inc., erect

9 forty (40) additional motel units on its leased premises.

10 SECTION 2. That the Board of Aviation Commissioners, be

11 authorized to execute such agreement or agreements as are necess-

12 ary to effectuate such extension and the Mayor and City Clerk be

13 and hereby are authorized to approve such agreement.

14 SECTION 3. That this Ordinance be in full force and

15 effect from and after its passage and approval by the Mayor.

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Councilman

Read the first time in full and on motion by V. Schmidt, seconded by

Kings, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-13-77

Charles W. Titstam
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Kings, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>0</u>	<u>1</u>	<u>1</u>	
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>	<u>✓</u>		<u>✓</u>		
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHMIDT, V.</u>	<u>✓</u>				
<u>STIER</u>				<u>✓</u>	
<u>TALARICO</u>	<u>✓</u>				

DATE: 9-27-77

Charles W. Titstam
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. S-199-77 on the 27th day of September, 1977

ATTEST: (SEAL)

Charles W. Titstam
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of September, 1977, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Titstam
CITY CLERK

Approved and signed by me this 29th day of September, 1977 at the hour of 4:00 o'clock _____ M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. S-77-09-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
authorizing the Board of Aviation Commissioners to extend the lease with
Airport Restaurants, Inc., an additional fifteen years

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt

William T. Hinga

Donald Schmidt

Samuel J. Talarico

9-27-77 CONCURRED IN
DATE CHARLES W. WESTERMAN, CLK.

3794.
RED

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Special

D-77-09-07.

DEPARTMENT REQUESTING ORDINANCE Law

SYNOPSIS OF ORDINANCE An Ordinance authorizing the Board of Aviation

Commissioners to extend the lease with Airport Restaurants, Inc.,

an additional fifteen years.

EFFECT OF PASSAGE Lease extended

EFFECT OF NON-PASSAGE Lease not extended

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

Regulation